

## REMARKS

In the Official Action mailed on **November 5, 2004** the Examiner reviewed claims 1-21. The oath or declaration was claimed defective. Claims 15-21 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 1-3, 8-10 and 15-17 were rejected under 35 U.S.C. §102(e) as being anticipated by Haggar et al. (US 2002/0091904, hereinafter “Haggar”). Claims 4-7, 11-14 and 18-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Haggar in view of Otis (US 2002/0099765, hereinafter “Otis”).

### Oath/Declaration

The oath or declaration was claimed defective because the claim for priority to provisional application 60/276,049 was incorrect.

A new oath or declaration has been submitted with the corrected serial number.

### Rejections under 35 U.S.C. §101

Claims 15-21 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Applicant has amended independent claim 15 to clarify that the present invention “facilitates managing surplus **computer** memory in a multitasking system, comprising: a reserving mechanism that is configured to reserve a guaranteed amount of **physical** memory for a task from **a new generation space within a heap** in the multitasking system”. This amendment finds support in FIG. 2, FIG. 3 and paragraphs [0032]-[0033], [0037] and [0040] of the instant application.

**Rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a)**

Independent claims 1, 8 and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by Haggar. Applicant respectfully points out that Haggar teaches **allocating storage blocks and handles** in different parts of a larger memory pool (see Haggar paragraph [0006]).

In contrast, the present invention teaches **reserving memory for a task in a multitasking system**, wherein the memory reserved for the task *is separate from memory reserved for all other tasks* in the heap of the multitasking system (see paragraphs [0012], [0036], and [0040]-[0043]). Objects for that task are allocated in its reserved memory space unless the memory for that object exceeds the memory available (see paragraphs [0041]-[0043]). The advantages of reserving memory for each task separately are: 1) it allows the garbage collector to scavenge memory for an individual task; 2) it does not take extra memory to specify which task owns an object within the heap; and 3) it prevents the suspension of other tasks during scavenging (see paragraph [0036] and [0041]). There is no suggestion in Haggar, either express or implied, to reserve memory for a task in a multitasking system, wherein the memory reserved for the task is separate from memory reserved for all other tasks in the heap of the multitasking system.


Applicant has amended independent claims 1, 8 and 15 to clarify that the present invention reserves memory for a task in a multitasking system, wherein the memory reserved for the task is separate from memory reserved for all other tasks in the heap of the multitasking system. These amendments finds support in paragraphs [0012], [0036], and [0040]-[0043] of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 8, and 15 as presently amended are in condition for allowance. Applicant also submits that claims 2-7, which depend upon claim 1, claims 9-14, which depend upon claim 8, and claims 16-21, which depend upon claim 15, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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